

AFFIDAVIT

I, Jason Salter, being duly sworn, depose and say:

INTRODUCTION

1. I am a Border Patrol Agent with the United States Border Patrol (“USBP”) permanently assigned to Tucson, Arizona and detailed to Tucson, Arizona with the Prosecutions Unit. I have been an agent with the USBP since November 30, 2015. I completed the USBP Academy in May 2016, where I received instruction in constitutional law, immigration law, criminal law, and federal and civil statutes. I have also received instruction in the detection, interdiction, and arrest of narcotics smugglers, alien smugglers, and aliens illegally present in the United States.

2. As a Border Patrol Agent, my duties include patrolling the Tucson Area of Responsibility (“AOR”). I have apprehended many undocumented aliens, alien smugglers, narcotic traffickers, and facilitators. I have processed and presented many cases for criminal prosecution and administrative proceedings.

3. In September 2022, I was first assigned as a Case Agent for the Tucson Sector Prosecution Unit. I have conducted investigations involving illicit activity and have gathered and structured evidence and facts pertaining to administrative and criminal cases. I have taken sworn statements from material witnesses and suspects. I routinely perform record checks through various law enforcement databases to establish accuracy of information as well as to gather facts further relevant to a respective case. I have acted as a liaison between the United States Attorney’s Office and field agents, and I have assisted fellow agents in the development of their cases.

4. The facts supporting this affidavit were obtained through examination of reports and sworn statements pertaining to the seizure of a gray 2011 Honda Odyssey, VIN:5FNRL5H60BB061745 (“Vehicle”) and is intended to show that there exists sufficient

probable cause for the requested forfeiture and does not portray all my knowledge about this matter.

5. There is probable cause to believe that the 2011 Honda Odessey, VIN:5FNRL5H60BB061745, bearing Arizona license plate number 26A1B4A, was used in the commission of crimes in violation of Title 8, United States Code, Sections 1324(a)(1)(A) and 1324(a)(1)(A)(v)(I), and is therefore forfeitable pursuant to Title 8, United States Code, Section 1324(b)(1).

FACTS

6. On August 23, 2022, at approximately 5:00 AM Border Patrol Agents (“BPAs”) working at the Brian A. Terry Station Area of Responsibility received a report via their service radio from dispatch that the Cochise County Sheriff’s Office had conducted a vehicle stop near Canyon Vista Hospital, Arizona State Route 90, with a possible human smuggling event with eight (8) suspected Undocumented Non-Citizens (“UNCs”) and one (1) Lawful Permanent Resident driver, later identified as Wendy Barahona-Panameno (“BARAHONA-Panameno”). Agents informed dispatch via service radio that they were enroute to the stop.

7. When BPAs arrived on the scene, at approximately 5:30 AM they observed a Cochise County Sheriff’s Office Deputy with nine (9) subjects outside the Vehicle. The Deputy also informed the BPAs that the reason for the vehicle stop was due to a broken headlight on the Vehicle. Agents identified themselves as a Border Patrol Agents and confirmed with BARAHONA-PANAMENO, that she was the driver of the suspected Vehicle.

8. Agents then conducted an immigration inspection on the remaining passengers of the Vehicle. Agents recognized this to be a human smuggling attempt. The UNC admitted to being in the United States illegally, having crossed the international boundary at a place other than a Port of Entry, and without inspection.

9. During interviews of the UNC's, specifically Rafael Rogel-Trujillo and Jose Christian Carreno-Pedroza, stated that phones were used to facilitate the smuggling, and they were both given a pick-up location from a contact in the smuggling organization. All eight (8) UNC's were picked up by BARAHONA-Panameno and found in the Vehicle. The Vehicle, which was driven by BARAHONA-Panameno, showed up at the pick-up location the material witnesses had received from the smuggling organization. In my training and experience, BARAHONA-Panameno would have only been able to find the UNC's by utilizing her phone for the pick-up location of the UNC's. During the interview of Material Witness, Omar Guadalupe Aboytes-Del Real, he stated that he saw BARAHONA-Panameno using her phone during the transport.

10. Based on the facts obtained from the immigration inspection, BARAHONA-Panameno, was arrested for alien smuggling, by means of transportation. The Vehicle was subsequently seized as a conveyance used in the crime.

CONCLUSION

11. Based on information contained in this affidavit, I believe there is probable cause that the gray 2011 Honda Odessey, VIN:5FNRL5H60BB061745, was used in the commission of crimes in violation of Title 8, United States Code, Sections 1324(a)(1)(A) and 1324(a)(1)(A)(v) (I), and is therefore forfeitable pursuant to Title 8, United States Code, Section 1324(b)(1).



Jason Salter
Border Patrol Agent
United States Border Patrol

Subscribed and sworn to before me
on this 22nd day of May, 2024.



Notary Public